

**UNITED STATES DISTRICT COURT**  
**FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE APPLICATION OF ALBERTO  
SAFRA FOR AN ORDER TO TAKE  
DISCOVERY FOR USE IN FOREIGN  
PROCEEDINGS PURSUANT TO 28 U.S.C.  
§ 1782

Case No. 21-mc-00640-GHW-JLC

**DECLARATION OF DAVID WALLACE WILSON**

I, David Wallace Wilson, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury under the laws of the United States, as follows:

1. I submit this declaration in support of Mr. Alberto Safra (“Petitioner”)’s Application and Petition For An Order To Conduct Discovery From Dr. Susan Bressman (“Bressman”), Dr. Eli L Diamond (“Diamond”), Dr. Valentin Fuster (“Fuster”), Dr. Viviane Tabar (“Tabar”), Mount Sinai Health System (“Mount Sinai”), and Memorial Sloane Kettering Cancer Center (“MSKCC” and together with Bressman, Diamond, Fuster, Tabar, and Mount Sinai, the “Respondents”) For Use In A Foreign Proceeding Pursuant To 28 U.S.C. § 1782 (“1782 Application”).

2. Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration of Alberto Safra filed concurrently with the 1782 Application (“Alberto Safra Declaration”) and accompanying Memorandum of Law dated July 12, 2021 (“Memorandum of Law”).

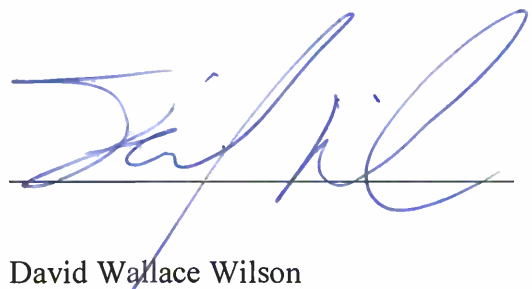
3. Unless otherwise indicated, all facts set forth in this declaration are based upon: (a) my personal knowledge; (b) my review of relevant documents; and (c) information supplied to me by the Petitioner or its officers, directors, and employees, or professionals retained by them.

4. Together with Thomas Werlen, Managing Partner of the law firm Quinn Emanuel Urquhart & Sullivan (Schweiz) GmbH, I am the counsel of record for Petitioner in the Swiss litigation seeking, *inter alia*, to challenge the wills that Joseph Yacoub Safra putatively executed in November and December of 2019 (the “New Wills”) and other wills, testamentary instruments, and any lifetime gifts made by Joseph Yacoub Safra to the other heirs that breached Petitioner’s forced heirship rights on, prior, or after that time period. I am together with Thomas Werlen in charge of leading the Swiss litigation for Petitioner.

5. On May 3, 2022, Petitioner initiated the Swiss litigation by filing a conciliation request against the heirs with the *Juge de la Commune de Crans-Montana*, seeking to have him summon a hearing with respect to the New Wills.<sup>1</sup> The conciliation request requests, *inter alia*, the annulment of the New Wills and any other wills, testamentary instruments, and lifetime gifts made by Joseph Yacoub Safra to the other heirs that breached Petitioner’s forced heirship rights on, prior, or after that time period.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 under the laws of the United States that the foregoing is true and correct.

Executed on May 9, 2022, in Geneva, Switzerland



David Wallace Wilson

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<sup>1</sup> The conciliation request is a document filed confidentially and not public. As such, I have not attached it here. However, I would be happy to provide the Court with a copy (under seal) upon request.